G. R. S. 58]

Previous references.
Ch 47-24 (1-12)
" 155-17 (1-3)
" 233-16 (1-3)
" 22-13 (1-5)
Later references.
Ch 100-27 (1-2)
" - " (3-4)
Ch. 294-25-(1-5)
Ho 18 CH 26 1

1924
(Courts)

File No. 164-24
Serial Nos. 1

Revised

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one

Part B for November 24

SUBJECT

Introduction of the System of trial by jury into the Kolar and Shimoga Districts

Notn. Proc. 2687 dt 24-11-24

To the Compiler.

Notifies that from and after 1st January 1925 the trial before the courts of Sessions of the Bangalore and Shimoga Divisions of certain offences in the districts of Kolar and Shimoga shall be by a jury consisting of five persons.

Manasamma Iyengar
18/12/24

B170

Shimoga District.

No. 3. Introduction of Jury System in the Shimoga Division Sessions Court.

(4) Summary of Representation. The Jury system as is existing in Bangalore and Mysore may be i introduced in the Shimoga Division Session's court.

(4) Judicial Branch Note. In the latter part of 1921 The District Magistrates of all the Districts had been consulted about t the desirability of introducing the Jury System in their districts?. The District Magistrates of Shimoga and Chitaldrug were averse to the propos on accuont of want of competent men to form a jury. The system has been extended to Kadur in the Shimoga Division. The question may perhaps be investigated again.

(3) Dewan's Reply. Will be investigated.

Petn. No. 176(4)
2
3001
P.

(x Original petn sent to Muni Section)

Extract from a largely signed petition received by the Dewan from the citizens of Kolar on 11th Jan. 1924,

x x x

(4) While appreciating the introduction of separation scheme, we request that jury system of trial be also kindly introduced.

Forwarded, with compliments, to the Secretary to Govt., Local & Legislative Departments, for favour of remarks.

x x

By order,

Sg. 12.1.24

P.S.D.

(5) Please put up file where the District Magistrate have been asked to report about this. 12/1 Sd

(6) Submitted with the Govt's file 47-21-(11 to 12) The D-M Kolar at in Nov: 1921 stated that there are no competent men to serve as jurors in this district A similar subject was brought in the Dasara session of the A. of 1923 re the introduction of the jury system.

7

G. R. S. III-2.

General and Revenue Secretariat.

C5 File No. 164 of 19 24

300 (13) 3 3642

Serial No.

in Shimoga Dt. The Dewan replied on that subject that the question will be investigated. If approved both the Deputy Commissioners of Kolar and Shimoga may be requested to send up proposals for the introduction of the system in their districts of conditions have since been improved. Submit for orders.

(7) yes. 18/1/24 Cay 18/1

(8) Submit with a draft (9) Issue

By Sub 19.1.24 Cay 21.1

To the Dy Commrs Kolar & Shimoga
No P 4176-79 25.1.24.

Enquiries whether the Grey system may be introduced in their Dists & what reports to send up proposals.

Sub.

From

the Dy Commr Shimoga letter no D 1015 2 of 18.2.24

States that conditions have not improved since then and as educated persons are few, the question may be deferred for the present.

(10) Submit. No report from the Dy Commr Kolar may be awaited. (11) yes Cay

By Sub 23/2/24

NOTE—Contn. sheet.

4632 4 24

G. R. S. III-2.

General and Revenue Secretariat. C5 File No. 164 of 1924

Serial No.

From

The D.C. Kolar. Letter no D2 Dt 6.5.24 21 4 24

States that conditions have not materially improved and reliable men with sufficient public spirit cannot be had in sufficient numbers and hence there will be no advantage in introducing the trial by jury system.

(2) Both the district magistrate are not in favour of introducing the system of trial by jury in Sessions trials. Int'd with a Dft

23.4.24 (3) As the district magistrates of Kolar & Shimoga are still averse to the introduction of the trial by jury owing to the alleged dearth of suitable men for the jury, draft-forms may perhaps be appd

Let Secy

Cay 28/4

(4) As the district magistrates of Kolar & Shimoga are of opinion that reliable & public spirited men are not available in sufficient numbers to become jurymen the system may not be introduced at present

NOTE—Contn. sheet.

4632 5.5

G. R. S. G/331.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

into the districts of Kolaba & Thana.

15) Draft may be approved by Member

9200/5/5

24/4

16) Does not appear material in any answer. When new cases is found in Kaira & Surat taluka as given it is suggested that similar cases cannot be found in other talukas & Surat & Broach & Kaira. I think this may be easily understood in the Rules —

25/5

25/5

9866/26/5 17) Draft with draft

WD 2230—GPB—1,00,000—23-7-20

9866 (18) Mr. Mayne

24/5/24 19) Submit for Commissioner 1st Member

cag 27/5

cag 27/5

G. R. S. III-2]

General and Revenue Secretariat.

File No. 65 164 of 1924

Serial No.

4832 6

6

4866

DE... N'S OFFICE,
... 4 - JUN 1924
... 87444...

20) We need not cancel the Sessions Magistrate again - There is no Court in Kolar & Chinna Doss as yet. Whenever it is decided the system may be introduced in both the Districts. It will be better to wait till then 2

Kelu
3/6
Devan
8d
4/6
cag 4/6

21) Shall the Chief Court be consulted
4
7.6
60328/16/6 1st member
8d
8.6. cag 9.6

16/6
8d
18/6. cag 20/6

22) Submit with draft letter to Chief Court for Canvassing.
25/6/24
Init
(1st Secy)
23) Draft might be
cag 24/6
10650/25/6/24
1st member
24) Draft letter with Chief Comm. is approved
16
cag 24/6

Kelu

25). Issue cag 27.6 — 26/6 8d 26/6

NOTE—Contn. sheet.

915/D 4632 7 7

G. R. S. III-2]

General and Revenue Secretariat.

Ch File No. 164 of 1924

Serial No.	
	To the Registrar, Chief Court No. P. 698 dt 27. 6. 24 Request to forward the opinion of the Chief court in the matter of the introduction of the jury system in Kolar & Shimoga dists & if they are in favour to intimate the class of offences that may be tried by the jury & the no. of men to constitute the jury.
2p 1/7	Dmi Re Reg: Chief Court Letter no D. 62 dt 25. 8. 24. States that the Chief Court are of opinion that the system of trial by jury may be introduced in Kolar and Shimoga dts and that for the present the classes of offences that may be tried by the jury be restricted to offences against property under chapter XVII of the IPC 2) Re number of men to constitute a jury has not been stated though called for. Put up with a draft B 30/8/24 (2) Done. B 30/8
	To the Regr. Chief Court No P 1205 dt 5-9-24 Letter regd to the above letter regd to above requests to intimate the no. of men required to constitute a jury at a trial in the 2 dists.

90

NOTE—Contn. sheet.

6/9

915/255 8

General and Revenue Secretariat. | File No. 164 of 1924 8

Serial No.

From

The Registrar, High Court
Letter No. D.1.D.s 86 dt. 11.9.24
States that the number of men to constitute a jury at a time in Kolar and Chittoor Districts may be fixed at 5

Put up.

2) The High Court are of opinion that the system of trial by jury may with advantage be introduced in Kolar and Chittoor Districts and recommend that the classes of offences triable by jury be restricted to offences falling under Chapter XVII of the Indian Penal Code. The number to constitute a jury at a time may be fixed at 5.

Put up for orders - Reference paragraphs 20 and 21 above. A draft is also put up.

18/9/24

Law Secy 29) This is a Council matter.
(at Bangalore) 30) Dewan - May be discussed by Cabinet
9/9
20.9
Consulted in the matter
20.9
Approved by the Hon'ble Minister
30/9

Council matter

26/9/24

NOTE—Contn. Sheet

1255

9

G. R. S. III-2]

WD 2310—GPB—16,000—31-5-24

Generai and Revenue Secretariat.

CS File No. 162 of 1924.

Serial No.

DEWAN'S OFFICE.
RECD. ON 2. OCT. 1924
Reg. No. 2687

Dewan

31) Papers in margin
Circulated by Members

1-10
1-10
2-10

146 2nd Member
4-10

32) I agree to the proposal of the Chief Commr

3-10
3-10
4/10

$100 / 7×0-14

18 Members)

33) Put up in W.E.-IV.

5-4
6-10
5/10

7-10
5-10

34 Submitted D.-IV.

11-10-24

35) Type-wee drafts required by me —

12-10

36) Submitted typed draft —

3243
17-10-24

14-10-24

DEWAN'S OFFICE.
RECD. ON 25. OCT. 1924
Reg. No. 3056

Members

37) Approved

14/10
18/10
16-10
16-10

38) Final Note signed by the Members is left

Noted 24/10 placed on the file
Dewan

24/10

NOTE—Contn. sheet.

Final Note by the First Member of Council.

Subject:—

Introduction of the system of trial by Jury to the Kolar and Shimoga Districts.

---

39 The system of trial by Jury was introduced in the Districts of Mysore and Bangalore tentatively and was subsequently made permanent. On the recommendation of the Chief Court for the introduction of the scheme in the other Districts, the District Magistrates were consulted and all of them except those of Tumkur and Kadur were not in favour and so the system was introduced in those two districts only.

40 In the Dasara Session of the Representative Assembly in 1923 the members from the Shimoga District brought up a representation that the system should be introduced in the Shimoga District. The citizens of Kolar by a largely signed petition dated 11th January 1924 addressed to the Dewan demanded the introduction of the scheme in the Kolar District also. The District Magistrates of Kolar and Shimoga, who were again consulted, were not in favour of the introduction on the score of paucity of competent jurors. The Chief Court were then consulted under the orders of the Dewan, and they are of opinion that the scheme may be introduced in these two districts.

41 I recorded my opinion as follows:-

" I do not agree with the Deputy Commissioners. When men can be found in Kadur and Tumkur to serve as jurors, it is extraordinary that suitable men cannot be found in the towns of Shimoga & Kolar. I think the system can be be easily introduced in both the Districts".

4 The matter was disposed of by circulation. The Dewan and the Second Member are agreeable to the introduction of the scheme in the two districts.

Page 9 of Office Note.

5 His Highness may be graciously pleased to approve of the introduction of the scheme into the Districts of Shimoga and Kolar.

Mysore,
22nd October 1924.

MEMBER OF COUNCIL.

12

Submitted to His Highness.

I submit herewith a Final Note by the FIRST *Member of Council on the subject of* the introduction of the system of trial by Jury into the Kolar and Shimoga Districts, *for His Highness' gracious approval.*

Dewan.

26 OCT 1924

DKR.

N55

13

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Introduction of the system of trial by Jury into the Kolar and Shimoga Districts.

45

Order.

~~KRW~~

30/10/24

20
289

46 Secy to G

47

21 OCT 1924

31/10.

31/10

45
31/10

General and Revenue Secretariat.

File No. 164 of 1924

Serial No. 47) Subd with the draft already put up. The date from which the system has to be introduced is left blank in the draft for being filled up - Hayden fixed as 1st January 1925 ~~Object~~ accepted & Bd for orders

3/11/24. 48) The 1st of January 1928 may perhaps be fixed - The draft is for approval -

3683 6.11.24

Thleg - 5-11

49) Draft may be apd 8-11

1st Number

Apd: 5/11

I hope the time given is sufficient for the preparation? Thleg 5-11

6-11

Thleg

10/11

8-11 19-11

To the Compiler Mysore Gazette for publication No P. 2687 & 24.11.24

Directs that from and after 1st Jan 1925 the trial before the Courts of Sessions of the Bangalore and Shimoga Divisions of the offences ~~as detailed~~ in the Districts of Kolar and Shimoga shall be by a jury consisting of 5 persons & that of the trial of these offences etc shall, if the presiding Judge so directs, be by Jurors

NOTE—Contn. Sheet

summoned from a Special Jury list.

Memo no P. 2688-9 dy 24.11.24

For copy to D.M. Kolar and Shimoga

P. 2690 For copy to Regr Chief Court.

Serial No.

5

15/12

G. R. S. VI—G/32]

16

SUBJECT .....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

, the *192* .

Date of issue 25-1-24

Signed by Mr. C. A. Ghani

Section

File No.

Serial No.

No. P. 4076-7

To

The Dist Kolar and Bhimaga

Sir

With reference to the correspondence ending with your letter no DDis 375-21-2 DDis 14 Jp/21-2 11-11-21 / 29-10-21 re the introduction of the jury system in Sessions trials in your district, I am directed to request you to kindly intimate whether conditions have since then improved and whether the system may be introduced into your District and if so to state the classes of offences for which trial by jury can be held and the number of men to constitute the jury at a time. An early reply is requested

Yours etc

WD 0632-GPB—1500—16-8-23

14/1/24

21.1

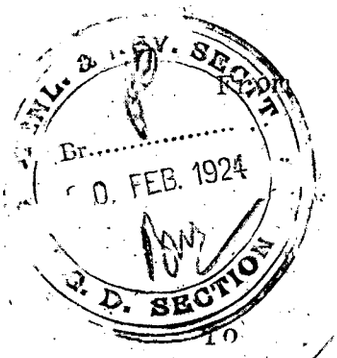
28726

5042

D.1

Office of the District Magistrate,
Shimoga District,
Dated Shimoga 18th February 1924.

D.1:Dis:2/23-24.



From

A.K.Syed Taj Peeran Esquire, B.A.,
District Magistrate, Shimoga District.

To

B.Nagappa, Esquire, Bar-at-Law,
Secretary to Government, Local and Legislative
Departments, Bangalore.

Sir,

With reference to your letter No.P.4176-7/Cts:dated 25th January 1924, calling for opinion in the matter of introducing the Jury System in Sessions Trials in this District, I have the honour to state that conditions have not yet improved, and as the educated persons, other than lawyers, are few, this question may be deferred for the present.

I have the honour to be,

S i r,

Your most obedient servant,

A.K.Syed Taj Peeran

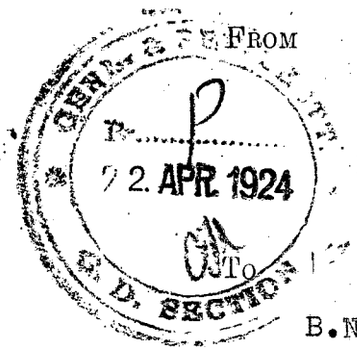
Deputy Commissioner,
Shimoga District.

33074

18 4632 P

No. Dpi 65
Encs. 22.24

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.
Dated Kolar, the 21st APRIL *1924.*



FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DISTRICT MAGISTRATE, KOLAR DISTRICT.

B.Nagappa Esq., Bar-at-Law,

Secretary to Government, Local & Legis.Dept.,Bangalore.

SIR,

With reference to your letter No.4176-7 C.T.S. dated the 25th January 1924,calling for my opinion as to whether the system of "Trial by Jury" in Sessions cases of this District may be introduced etc., I have the honour to reply in the negative as the conditions have not materially changed and reliable men with sufficient public spirit cannot be had in sufficient numbers for the purpose.

I have the honour to be,

S i r,

Your most obedient servant,

Treasury Assistant Commissioner,
for District Magistrate.
(Absent from station).

G. R. S. VI—G/32]

69

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 192 .

Date of issue 27-6-24

Signed by Mr C Asghani

Section.

File No.

Serial No.

No. P. 6913

To

The Registrar Lahore Court

Sir,

I am directed to state that Constant representations have been made both with A.A. and elsewhere that the system of trial by jury in Sessions cases be introduced in Sukkur and Shikarpur Dts. The official magistrates of these districts plead patently inexperience to serve as jurors ~~in these~~ for are of opinion that when system has been introduced in

men can be found in
Kadur and Tumkur Dts to serve as jurors, it is rather
extraordinary that suitable
men cannot be found in
the towns of Kolar and Shimoga
and that they can safely
introduce the system in
these two districts. I am
to request that the opinion
of the Chief Court may kindly
be obtained and forwarded for
the information of Govt and
if the Chief Court are in
favour of introduction of the
system the class of offences
and that may be tried by the
jury and the number of men
to constitute the jury may
kindly be intimated. An
early reply is requested.

I have etc

Sd
for Secy to Govt

2/6/24

Where no difficulty is experienced in these Districts in regard to jurors, it is extraordinary that such difficulty should be experienced in bigger places like Shimoga, Kolar

List of enclosures.

Copied by

Examined by

WD 2245-GPB—2,000—6-6-24

Telgm:
"JUSTICE"

11441

CHIEF COURT OF MYSORE,
Public Office Buildings, Cubbon Park,

Bangalore.....25th August.....*1924*.

~~R. O. C.~~ No. 62
Dis. 1924-25

From

26 AUG. 1924

To

A. Sreenivasaragavachari, Esq., B.A., B.L.,
Registrar, Chief Court of Mysore.

B. N A G A P P A , Esq., Bar-at-Law,
Secretary to Government,
Local and Legislative Departments.

Sir,

I am directed to acknowledge the receipt of your letter No.P.6913/Cts. dated the 27th June 1924 requesting to be furnished with the opinion of the Chief Court regarding the introduction of the system of trial by jury in Sessions cases into the Kolar and Shimoga Districts, and the class of offences that may be tried by Jury.

2. In reply I am to state that as the system is reported to be working satisfactorily in the Kadur and Tumkur Districts, there appears to be no cause for apprehension that it will not work equally well in the Kolar and Shimoga Districts. The Chief Court, I am to observe, are in favour of introducing the system in to the Kolar and Shimoga Districts.

3. As regards the class of offences that may be tried, I am to add that for the present it may be restricted (in accordance with the existing practice in the Tumkur and Kadur Districts) to offences against property under Chapter XVII of the Indian Penal Code, viz.,

22

viz., Sections 379-389, 392-395, 397-402, 411-412, 414, 426-440, 447-462.

I have the honour to be,

S i r,

Your most obedient servant,

REGISTRAR. 25/8/24

TMN/2

23

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to

General and Revenue Secretariat

( )

, the *191* .

Date of issue 5/9/24

Signed by

Section

File No.

Serial No.

No. 1205

To

The Keeper Chief Court

Sir

With reference to your letter no D. 62/24-5 & 25-8-24 stating that the system of trial by jury may be introduced in Kelan and Thamoparts and that the classes of offences that may be tried be restricted to offences against property under Chapter XVII of the IPC, I am directed to request you to kindly intimate the number of men required to constitute a jury at the three centres & revert

Thanks etc

Dor Lobey

4/9

30/8/24

14451

1255

CHIEF COURT OF MYSORE

Bangalore, dated 11th September 1924.

Telegraphic Address. "JUSTICE"

Dis No. 86/24-25

FROM

A. SREENIVASARAGAVACHARI, Esq., B.,A.. B.L.,
Registrar, Chief Court of Mysore.

12. SEP. 1924

To

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government,
Local and Legislative Depts.,
Bangalore.

SIR,

I am directed to acknowledge the receipt of your letter No.P.1205/cts. dated the 5th September 1924 requesting to intimate the number of men required to constitute a jury at a time in the Districts of Kolar and Shimoga into which the system of trial by jury is intended to be introduced and to state in reply that on the analogy of the number fixed in trials relating to the Tumkur and ~~Kolar~~ Kadur Districts, the Chief Court considers that the number of men required to constitute the jury in the Kolar and Shimoga Districts may also be fixed at 5.

I have the honour to be,
Sir,
Your most obedient servant,

A. Sreenivasaragavachari.
11/9/24
REGISTRAR.

PNK.

D4

3 more copies please 25

[G. R. S. VI–G-32] B50—WD 0527

SUBJECT

4/

ary No. of letter replied to

Section C5

File No. 164–24

Serial No.

General and Revenue Secretariat

( )

, the 192

Notification

2687

ate of issue 24/11/24

To

gned by W. B. N

In exercise of the power conferred by sections 269 and 274 of the Code of Criminal Procedure, 1898, the Govt of His Highness the Maharaja are pleased to direct that from and after the 1st January 1925 the trial before the Courts of Sessions of the Bangalore and Shimoga Divisions of the offences hereunder set forth and of all abetments of and attempts to commit those offences or any of them and committed in the districts of Bangalore and Kolar and Shimoga shall be by a jury consisting of 5 persons viz

over

Ho. U
9/

The offences are punishable by sections 379 to 389, 392 to 395, 397 to 402, 411, 412, 414, 426 to 440, & 447 to 462 of the Indian Penal Code.

2. The trial of these offences and of abetments and attempts to commit them, shall, if the presiding judge so directs, be by juries summoned from a special jury list

By order,

19/9 L. L. Dey

To

The Superintendent Government Press with a request that 100 spare copies of the notification may be sent to this office.

memo 2688–9 Dy 24/4/24

Copy to D. no. Khaleer and Bhuroja with reference to letter no: DR Dis 65 of 234 Dy 21-4-24 / DI Dis 2 / IB. 2-24

B. O

2690 Dr L. L. Dey

Copy to Asst Secy Confidential

Dr L. L. Dey

18/9/24

LOCAL AND LEGISLATIVE SECRETARIAT.

No. P. 2687—*Cts.* 164-24-1, *dated* 24*th November* 1924.

In exercise of the power conferred by Sections 269 and 274 of the Code of Criminal Procedure, 1904, the Government of His Highness the Maharaja are pleased to direct that from and after the 1st January 1925, the trial before the Courts of Sessions of the Bangalore and Shimoga Divisions of the offences hereunder set forth and of all abetments of and attempts to commit those offences or any of them and committed in the Districts of Kolar and Shimoga shall be by a jury consisting of 5 persons, *viz.*

The offences made punishable by Sections 379 to 389, 392 to 395, 397 to 402, 411, 412, 414, 426 to 440 and 447 to 462 of the Indian Penal Code.

2. The trial of these offences and of abetments and attempts to commit them, shall, if the presiding judge so directs, be by jurors summoned from a special jury list.

By Order,

B. NAGAPPA,

Secretary to Government,
Local and Legislative Departments.